



CITY OF BEAVERTON
Planning Division
Community Development Department
Tel: 503-526-2420
www.beavertonoregon.gov

MEMORANDUM

City of Beaverton
Community Development Department

To: Interested Parties
From: City of Beaverton Planning Division
Date: May 25, 2023
Subject: DDR2023-0005 Pacific Avenue Apartment Modifications

Please find attached the Notice of Decision for **DDR2023-0005 Pacific Avenue Apartment Modifications**. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for DDR2023-0005 Pacific Avenue Apartment Modifications is final, unless appealed within twelve (12) calendar days following the date of the decision. The procedure for an appeal of a Type 2 Decision is specified in Section 50.65 of the Beaverton Development Code. The appeal shall include the following in order for it to be accepted by the Director:

- The case file number designated by the City.
- The name and signature of each appellant.
- Reference to the written evidence provided to the decision making authority by the appellant that is contrary to the decision.
- If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
- The specific approval criteria, condition, or both being appealed, the reasons why a finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
- The appeal fee of \$250.00, as established by resolution of the City Council.

The appeal closing date for DDR2023-0005 Pacific Avenue Apartment Modifications is 4:30 p.m., June 6, 2023.

The complete case files including findings, conclusions, and conditions of approval, if any, are available for review. The case files may be reviewed by contacting the project planner, Brett Cannon at bcannon@beavertonoregon.gov.

NOTE: The City of Beaverton Community Development Department customer service center is now open to the public Monday through Thursday from 8:30am – 4:30pm. Accessibility information: This information can be made available in large print or audio tape upon request. Assistive listening

devices, sign language interpreters, or qualified bilingual interpreters can be made available at any public meeting or program with 72 hours advance notice. To request these services, contact Brett Cannon by calling 503-350-4038 or email bcannon@beavertonoregon.gov.

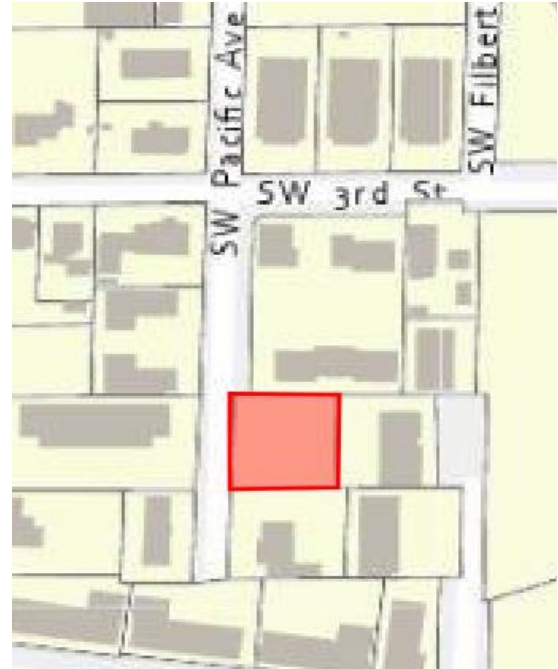
STAFF REPORT

Report date: May 25, 2023

Application/project name: Pacific Avenue Apartment Modifications

Application Numbers: DDR2023-0005

Proposal: The applicant, New London West, LLC, requests Downtown Design Review Two approval to construct a multi-dwelling apartment building with twelve (12) attached residential units, one live/work unit and a community room. The proposal will remove the previously approved tuck-under parking associated with approved casefile DDR2022-0010, close vehicular access from SW Pacific Avenue, increase the total units from nine to thirteen and improve the frontage of the site with a ten-foot sidewalk.



Proposal location: 4920 SW Pacific Avenue; Tax Lot 00200 of Washington County Assessor's Map 1S115CA.

Applicant: New London West, LLC

Decision: APPROVAL of DDR2023-0005, subject to conditions identified at the end of this report.

Contact information:

City staff representative: Brett Cannon, Associate Planner
503-350-4038
bcannon@BeavertonOregon.gov

Applicant: New London West, LLC
10560 NW Lee Street
Portland, OR 97229

Applicant's representative: New London West, LLC.
Attn: Gene Templeton
10560 NW Lee Street
Portland, OR 97229

Property owner: New London West, LLC
10560 NW Lee Street
Portland, OR 97229

Existing conditions

Zoning: Regional Center – Old Town (RC-OT)

Site conditions: The site is currently vacant.

Site Size: 0.22 acres

Location: 4920 SW Pacific Avenue; Tax Lot 00200 of Washington County Assessor’s Map 1S115CA.

Neighborhood Association Committee: Central Beaverton

Table 1: Surrounding uses

Direction	Zoning	Uses
North	Regional Center – Old Town (RC-OT)	Multi-Dwelling
South	Regional Center – Old Town (RC-OT)	Single-Detached Dwelling
East:	Regional Center – Old Town (RC-OT)	Multi-Dwelling
West:	Regional Center – Old Town (RC-OT)	Multi-Dwelling

Application information

Table 2: Application summaries

Application	Application type	Proposal summary	Approval criteria location
DDR2023-0005	Downtown Design Review Two	Downtown Design Review for a new multi-dwelling apartment building with 12 attached residential units, one live/work unit and a community room.	Development Code Section 40.03 Section 40.23.15.2.C

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day	365-Day*
DDR2023-0005	February 2, 2023	April 7, 2023	August 5, 2023	April 6, 2024

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

Summary of Public Comment

Exhibit 2.1 E-mail from Brad Denson, 4955 SW Pacific Avenue Unit B, expressing concern about life and safety risk for residents related to emergency vehicle access, waste disposal, existing parking restrictions on west side of Pacific Avenue and increased density impacts.

Staff response: Staff notes the project proposes roughly 13 feet of right of way dedication that will provide on-street parking in front of the new structure and a new 10-foot wide sidewalk. The project proposes no on-site parking in compliance with Oregon Administrative Rule (OAR) 660-012-0400 which doesn't allow local jurisdictions to apply minimum parking requirements to new development within $\frac{3}{4}$ of a mile of light rail transit stop. The Beaverton Transit Center, which includes a MAX light rail station is approximately 0.53 miles from the project site. The applicant has proposed restricted parking for approximately 40' of the site's frontage along SW Pacific Avenue to allow waste disposal trucks to serve the site without idling in the right of way. Additionally, staff notes the RC-OT district doesn't have a maximum density standard.

Exhibit 1.1 Vicinity Map

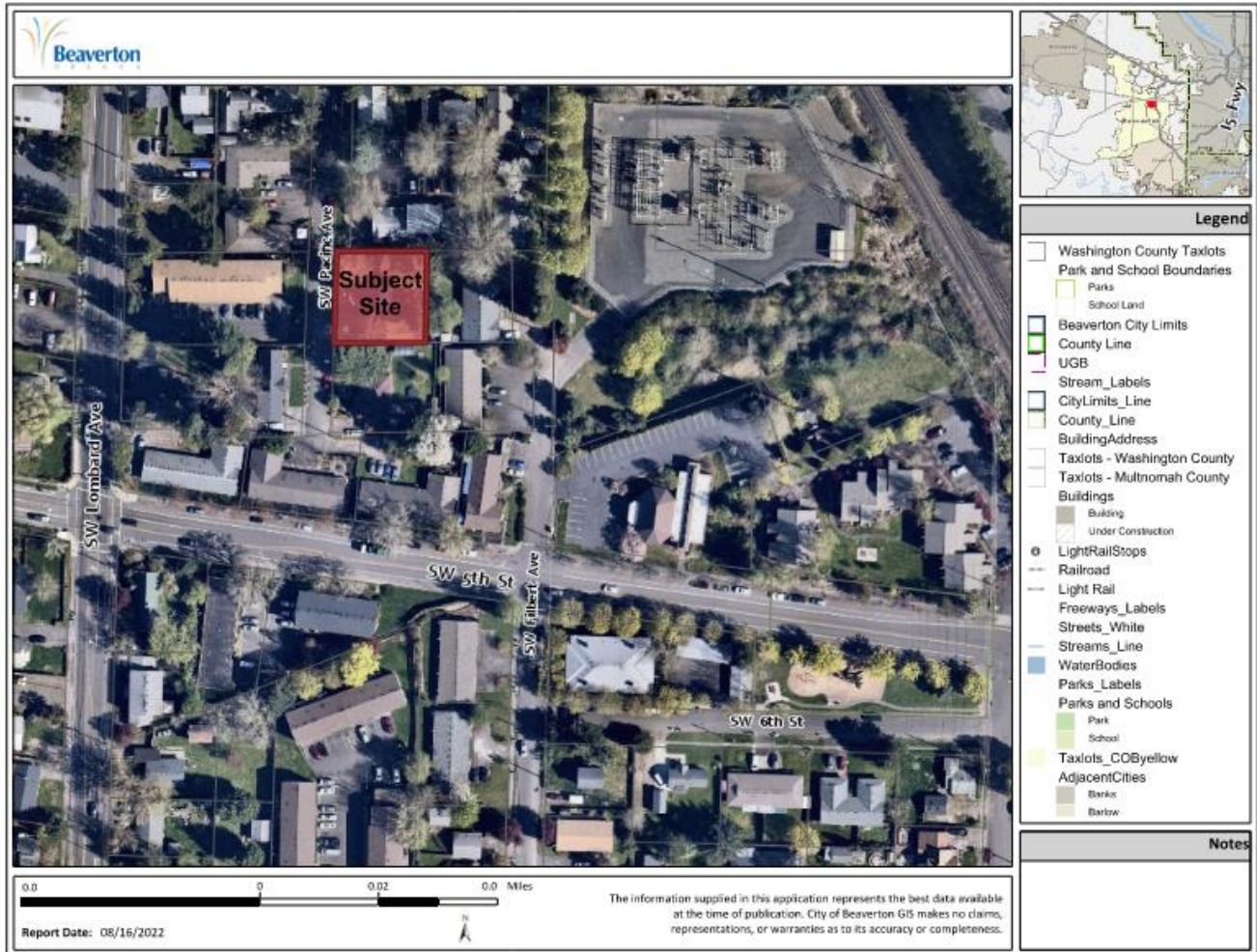


Exhibit 1.2 Zoning Map

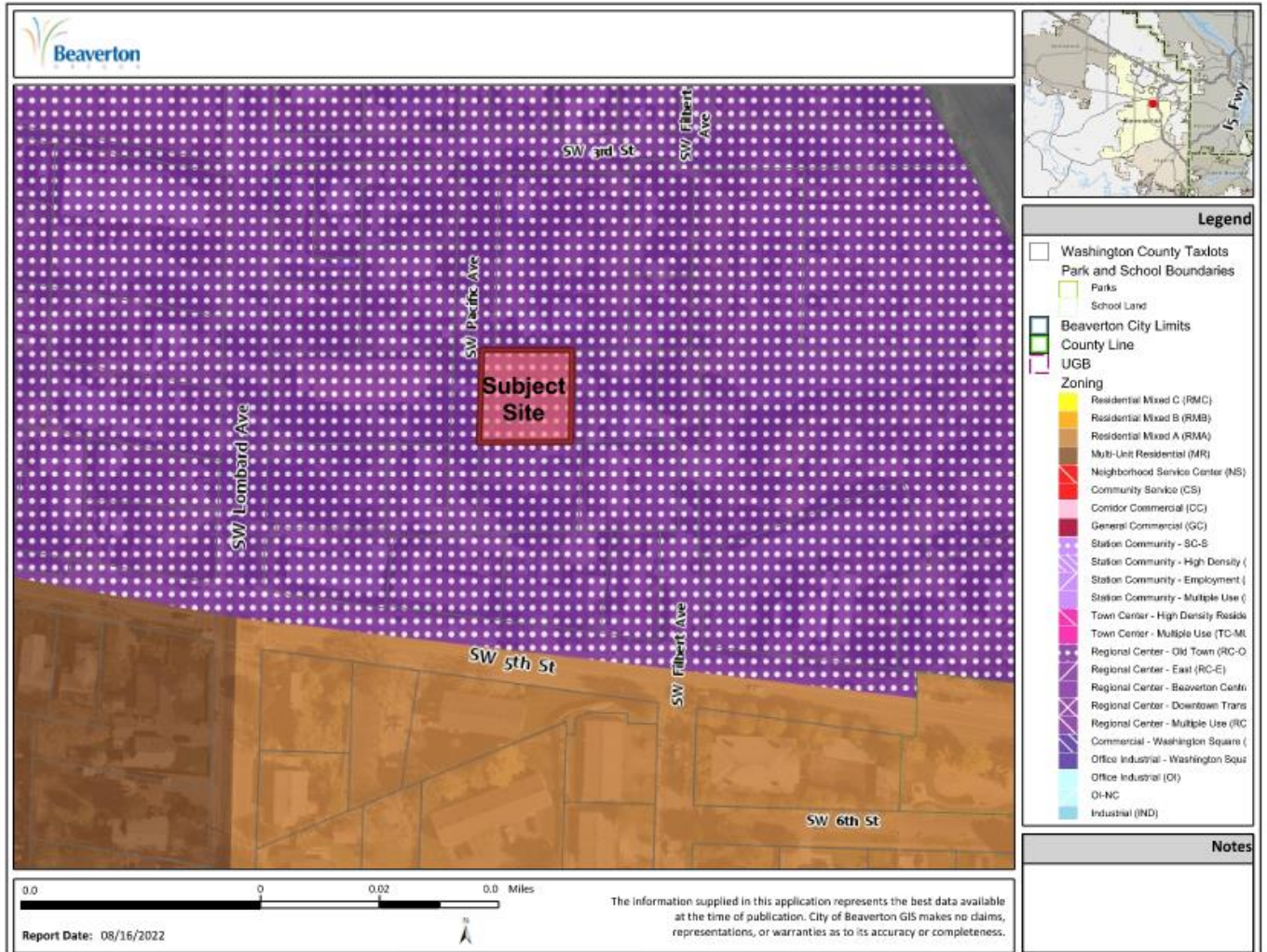


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Exhibits

Exhibit 1. Materials submitted by Staff

Exhibit 1.1 Vicinity Map (Page 5 of this report)

Exhibit 1.2 Zoning Map (Page 6 of this report)

Exhibit 2. Public Comment

Exhibit 2.1 E-mail from Brad Jenson

Exhibit 3. Materials submitted by the Applicant

Exhibit 3.1 Application package submittal

Attachment A: FACILITIES REVIEW

Application: Pacific Avenue Apt. Mods

Proposal: The applicant, New London West, LLC, requests Downtown Design Review Two approval to construct a multi-dwelling apartment building with twelve (12) attached residential units, one live/work unit and a community room. The proposal will remove the previously approved tuck-under parking associated with approved casefile DDR2022-0010, remove vehicular access from SW Pacific Avenue to the site, increase the total units from nine to thirteen and improve the frontage of the site with a ten-foot sidewalk.

Recommendation: APPROVE DDR2023-0005

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in a different order. The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted application(s) as identified below:

- All twelve (12) criteria are applicable to the Downtown Design Review Two (DDR2023-0005)

Section 40.03.1.A

Approval Criterion: *All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.*

FINDING:

Chapter 90 of the Development Code defines "critical facilities" to be services that include potable and non-potable public water; public sanitary sewer; stormwater drainage, treatment, and retention; transportation; and fire protection.

Potable Water: City of Beaverton water service is available to the site. There is an existing 4-inch water main located in SW Pacific Avenue. The applicant states the 4-inch water main is sufficient for the proposed development and will upgrade to a 6-inch water main at the request of the City of Beaverton Public Works Department. The proposed 6-inch main in SW Pacific Avenue will connect to existing 6-inch main in SW 3rd Street,

approximately 300 feet to the north. The applicant states the upgraded 6-inch water main will be able to provide water service to the proposed development. City staff reviewed the proposal and stated in their Service Provider Letter that, with the proposed water main extension, there will be adequate capacity to service the proposed development. Therefore, the Committee finds that adequate potable public water service can be provided to the site to serve the proposed development.

Non-Potable Water: There isn't a non-potable water network in the area of development. Therefore, the proposal is exempt from connecting to a non-potable water network.

Sanitary Sewer: City of Beaverton sanitary sewer service is available to the site, and there is an existing 8-inch sewer main located in SW Pacific Avenue. The applicant proposes to connect to the public sewer system from the west end of the site by installing a new 4-inch lateral within SW Pacific Avenue, and states sanitary sewer service is adequate to serve the proposed development. Based on the applicant's narrative and preliminary utility plans, the Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

Stormwater Drainage, Treatment, and Retention: City of Beaverton stormwater service is available to the site. The applicant submitted a preliminary stormwater management report dated March 2022 with DDR2022-0010 which was revised March 3, 2023, for the proposed changes associated with this submittal. The report states that runoff from the site will be directed to an on-site filter catch basin for water quality treatment. The onsite catch basin will connect to a proposed 12-inch public storm sewer to be installed in SW Pacific Avenue. Treated and detained runoff will discharge from the site via the proposed and upgraded stormwater manholes in SW Pacific Avenue. The applicant states the proposed stormwater system design will meet City of Beaverton standards and Clean Water Services Design and Construction Standards, and that stormwater service is adequate to serve the proposed development. The applicant will pay a fee-in-lieu to CWS instead of installing a LIDA facility in the right-of-way which was part of the previous approval. Based on the applicant's materials, the Committee finds that adequate stormwater drainage, treatment, and retention can be provided to the site to serve the proposed development.

Transportation: The subject site has public street frontage along SW Pacific Avenue along the entire western property line. Half-street improvements will be required along SW Pacific Avenue, including a 13-foot right of way dedication, curb-tight sidewalks, accessible upgrades, street light upgrades and street trees in tree wells. With vehicular parking no longer proposed for the site, the applicant will remove the vehicular access and curb cut that was approved as part of DDR2022-0010. The Committee recommends a condition of approval to ensure the proposed street improvements are constructed on SW Pacific Avenue prior to final occupancy.

Per Beaverton Development Code (BDC) Section 60.55.20.2.A, a Traffic Impact Analysis (TIA) is not required because the proposed development will not generate 300 vehicles or more per day in average weekday trips.

Pedestrian and bicycle access will be provided by sidewalks along Pacific Avenue's Street frontage. Additionally, the building and all building entrances will be located directly adjacent to public sidewalks, allowing direct and convenient access into the site. Short term bicycle parking will be provided via a staple rack on the north side of the lot and long-term bicycle parking will be provided on the first floor with of the building, see Sheet G1.01.

By constructing the proposed street improvements and complying with the recommended conditions of approval, the applicant will ensure that the surrounding transportation system can accommodate the traffic expected to be generated by the proposed development.

Fire Protection: Fire protection will be provided by TVF&R. The layout of the proposed development provides proper spacing, building access, and turning radii. TVF&R staff issued a Service Provider Permit (TVF&R Permit Number 2022-0043) and a subsequent revision approval on January 23, 2023, for the applicant's proposal, and the agency will verify that their requirements are met prior to Site Development Permit issuance. TVF&R will verify that their requirements are met prior to Site Development Permit issuance. The Committee finds that adequate fire protection service can be provided to the site to serve the proposed development.

For these reasons, the Committee finds that all critical facilities and services have adequate capacity to serve the proposed development.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.B

Approval Criterion: *Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both, will be provided to serve the proposed development within five (5) years of occupancy.*

FINDING:

Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way.

Schools: The applicant proposes an apartment building with 12 attached-residential units and 1 live/work unit, and the site is located within the Beaverton School District (BSD) boundaries. The applicant obtained a BSD Service Provider Letter dated January 31,

2023. BSD estimates the project will generate 3 new students and there is sufficient capacity to accommodate the new students. The site will be served by Raleigh Hills K-8, Whitford Middle School, and Beaverton High School. The Committee finds BSD has adequate capacity to serve the proposed development.

Transit Improvements: There are approximately 3 TriMet bus stops located within 1,000 feet of the subject site at SW Lombard and 5th Street, SW Lombard and 2nd Street and SW Lombard and 9th Street which provide access to the 53, 78 and 88 bus lines. The bus lines also connect to the Beaverton Transit Center, which is located approximately 0.6 miles from the site and is served by multiple bus lines, the MAX Light Rail, and the WES Commuter Rail. Accordingly, the Committee finds there is adequate transit service to serve the proposed development.

Police Protection: The City of Beaverton Police Department will provide police services to the development site. As of the date of this report, Beaverton Police have not provided comments or recommendations to the Committee. Any comments from Beaverton Police will be forwarded directly to the applicant, and the Committee finds that adequate police protection service can be provided to the site to serve the proposed development.

Pedestrian and Bicycle Facilities: The applicant will construct half-street improvements along SW Pacific Avenue, which will provide adequate pedestrian and bicycle facilities including 10-foot-wide sidewalks. No bicycle lane is required or proposed on SW Pacific Avenue. With the proposed improvements, the Committee finds there are adequate pedestrian and bicycle facilities to serve the proposed development.

For these reasons, the Committee finds that essential facilities and services related to the proposed development are available with adequate capacity to serve the development.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.C

Approval Criterion: *The proposed development is consistent with all applicable provisions of CHAPTER 20 (Land Uses), or Sections 20.25 and 70.3 if located within the Downtown Design District, unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of CHAPTER 20 (Land Uses) or Sections 20.25 and 70.3 if located within the Downtown Design District..*

FINDING:

The site is zoned Regional Center – Old Town (RC-OT) and is located within the Downtown Design District. The Committee refers to the Chapter 70 use and site

development requirements table at the end of this report, which evaluates the project as it relates to applicable code requirements of Section 70.15 (*Downtown Design District Downtown Zoning and Streets*). As demonstrated in the table, the development proposal is consistent with all applicable provisions of Chapter 70.15 (*Downtown Design District Downtown Zoning and Streets*).

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.D

Approval Criterion: *The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.*

FINDING:

Section 60.30 Off-Street Parking: The applicant proposes a mixed-use building with 12 (12) attached dwelling units and one (1) live/work unit. The site is located in Regional Center Parking District 1, and the minimum parking requirement for attached dwellings is 0.75 spaces per dwelling unit and 0.75 spaces per live/work unit (BDC Table 60.30.10.6). Accordingly, the applicant is required to provide a minimum of 10 parking spaces for the proposed development. The applicant has removed the previously approved tuck-under parking area from DDR2022-0005 that proposed total of, six conventional spaces and one accessible space. Staff cites Oregon Administrative Rule 660-012-0400, Section 2 of the Climate-Friendly and Equitable Communities rules which states, “*Section (2) prohibits requiring parking spaces for developments with lands within ¼ mile of a rail transit stop. The department considers “rail transit stop,” as used in this context, to apply to rail service designed to meet everyday transit needs. This includes MAX light rail, streetcar, and WES services, but not Amtrak passenger rail, historic, tourist, or seasonal rail operations.*” The subject site is located approximately ½ mile from MAX light rail stop Beaverton Central on Trimet’s red and blue line. Therefore, staff finds the proposal is consistent with the Oregon Administrative Rules for minimum vehicular parking requirements.

As outlined in BDC Table 60.30.10.5.B, the applicant is required to provide a total of 2 short term bicycle parking spaces and 13 long term bicycle parking spaces. The applicant states that a minimum of two short term parking spaces will be provided, as see on the applicant’s plans. The applicant’s narrative states that the long-term bicycle parking spaces will be provided in the ground floor lobby area, see Sheet G1.01.

Section 60.55 Transportation Facilities: As stated in the findings for approval criterion 40.03.1.A, Per Beaverton Development Code (BDC) Section 60.55.20.2.A, a Traffic Impact Analysis (TIA) is not required because the proposed development will not generate 300 vehicles or more per day in average weekday trips.

As stated in the findings for approval criteria 40.03.1.A and 40.03.1.B, the applicant will construct street improvements along SW Pacific Avenue that will incorporate sidewalks, upgraded streetlights, and street trees in tree wells in compliance with city standards. The proposed improvements will also provide adequate pedestrian and bicycle facilities to serve the proposed development. Further findings for applicable requirements of Section 60.55 are below.

Section 60.55.25.1 Street and Bicycle Pedestrian Connection Requirements: The applicant states the frontage on SW Pacific Avenue will be improved with a 10 foot wide sidewalk with curbs and tree wells to provide for safe pedestrian circulation. SW Pacific Avenue is designated as Local Street without Bicycle Lanes pursuant to Figure 6.2 of the Transportation System Plan.

Section 60.55.25.2 Street and Bicycle Pedestrian Connection Requirements: The ultimate right-of-way for a L1 Local Street is 58 feet pursuant to Engineering Design Manual Standard Drawing 200-4. The applicant proposes a 13-foot right-of-way dedication to provide a full half street improvement along the frontage of SW Pacific Avenue. The applicant proposes a 10-foot-wide curb tight sidewalk with street wells, rather than the typical cross section of a 5-foot sidewalk with 6.5 foot planter per BDC 70.20.05.6A-S7.

Section 60.55.25.4 Street and Bicycle Pedestrian Connection Requirements: The applicant states no new bicycle connections are proposed to the boundary of the parcel with this development. The proposed 10-foot sidewalk will be ADA accessible and connect the primary building entrance to SW Pacific Avenue to increase the pedestrian connectivity with the abutting sidewalk.

Section 60.55.25.5 Street and Bicycle Pedestrian Connection Requirements: As stated in Section 60.55.25.2, the applicant is proposing a 13-foot dedication along the frontage of SW Pacific Avenue to provide a complete half street section pursuant to EDM Standard Drawing 200-4 for an L1 Local Street. The exception is the applicant is proposing a 10-foot curb tight sidewalk with tree wells, rather than the typical 5 foot sidewalk with a 6.5 foot planter strip per BDC 70.20.05.6A-S7.

Section 60.55.25.10.B Street and Bicycle Pedestrian Connection Requirements: The property has approximately 90 feet of frontage along SW Pacific Avenue. The applicant proposes a 10-foot wide curb tight sidewalk from SW Pacific Avenue to the primary entrance to the building. The proposed, 10-foot wide sidewalk will also act as the 5-foot wide minimum ADA accessible pathway to the SW Pacific Avenue from the primary building entrance. There aren't any accessways abutting the site, so the criteria isn't applicable. The internal walkways to site meet the minimum 0.5 foot-candle standard as seen in the Exhibit 1.1 Applicant Drawing Package (Sheet E2-Internal Photometric Plan).

Section 60.60 Trees and Vegetation Requirements: The applicant proposes to install the required landscaping per BDC 70.20.05.8. Staff cites the findings in the staff report for

section 70.20.05.8 for all proposed landscaping. No trees will remain on site which will require tree protection standards identified in section 60.60.20 of the BDC.

Section 60.65 Utility Undergrounding: The applicant acknowledges the requirement to underground public and private utilities. Staff proposes a condition of approval that the applicant Provide plans for the placement of underground utility lines within the site and for the street frontage.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.E

Approval Criterion: *Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.*

FINDING:

The applicant, New London West LLC, will retain ownership of the site and provide regular maintenance of all private common facilities and areas. The Committee finds that the proposal as represented does not present any barriers, constraints, or design elements that would prevent or preclude required maintenance of the private infrastructure and facilities on site.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.F

Approval Criterion: *There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.*

FINDING:

The proposal doesn't contain any vehicular circulation patterns with the proposed removal of the tuck-under parking. The building and all building entrances will be located directly adjacent to public sidewalks, allowing for safe and efficient pedestrian access and circulation throughout the development site. All proposed pedestrian paths on the site required for life, fire and safety will be reviewed with the required building permits.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.G

Approval Criterion: *The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.*

FINDING:

The applicant will install a 10-foot-wide sidewalk along SW Pacific Avenue's frontage, and the proposed primary building entrance will be located directly adjacent to the public sidewalk, allowing for safe, efficient, and direct pedestrian access into the site. All proposed pedestrian paths on the site required for life, fire and safety will be reviewed with the required building permits.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.H

Approval Criterion: *Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.*

FINDING:

Fire protection will be provided by TVF&R. The layout of the proposed development provides proper spacing, building access, and turning radii. TVF&R staff issued a Service Provider Permit (TVF&R Permit Number 2022-0043) and a subsequent revision approval on January 23, 2023, for the applicant's proposal, and the agency will verify that their requirements are met prior to Site Development Permit issuance. The Committee finds that the site can be designed in accordance with City codes and standards and provide adequate fire protection.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.I

Approval Criterion: *Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard, or ill-designed development.*

FINDING:

The applicant states that all structures and public facilities serving the development site are designed in accordance with adopted City codes and standards. As of the date of this report, Beaverton Police have not raised any concerns about crime or accident at the development site. Any comments from Beaverton Police will be forwarded directly to the applicant, and the Committee finds the development is designed to provide adequate protection from crime and accident.

The applicant will be required to submit documentation life and safety review as part of the building permit review process. Accordingly, the Committee finds that review of the construction documents at the Site Development and Building Permit stages will ensure protection from hazardous conditions due to inadequate, substandard, or ill-designed development.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.J

Approval Criterion: *Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

FINDING:

The applicant states that the site has been graded in such a way as to not impact neighboring properties as well as the right-of-way. As stated in the findings for approval criterion 40.03.1.A, the applicant's proposed stormwater system will be designed so runoff is treated, detained, and discharged to the public storm system.

The Committee has reviewed the proposed preliminary grading plan and finds no adverse effect on neighboring properties, the public right-of-way, or the public storm system are anticipated. The Committee recommends conditions of approval regarding the grading and contouring of the development site, which will be reviewed and approved prior to Site Development Permit issuance.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.K

Approval Criterion: *Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.*

FINDING:

The applicant states that the proposal complies with all requirements of Beaverton's Engineering Design Manual, and all on-site pedestrian routes will meet Americans with Disabilities Act (ADA) standards and facilitate efficient pedestrian travel.

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code, and other standards as required by the ADA. The Committee finds that review of the proposed plans at Site Development and Building Permit stages is sufficient to guarantee compliance with accessibility standards.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.L

Approval Criterion: *The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.*

FINDING:

The applicant submitted the Downtown Design Review Two application on February 2, 2023. The applications included all required submittal materials as specified in BDC Section 50.25.1.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Code Conformance Analysis
Chapter 70 Use and Site Development Requirements
Regional Center – Beaverton Central (RC-OT) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 70.15.20			
Residential Live/Work	Permitted	The applicant, proposes a new three-story, 13-unit apartment building (12 attached-residential units and 1 live/work unit).	YES
Development Code Section 70.15.10			
Parcel Area	Minimum: None Maximum: None	9,655 square feet	YES
Minimum Lot Dimensions	Width: None Depth: None	Approximately 96 feet Approximately 100 feet	YES
Yard Setbacks	<u>Front Street Facing:</u> Minimum: Zero Maximum 10 feet <u>Interior Side Facing:</u> Minimum: Zero Maximum N/A <u>Rear Facing:</u> Minimum: Zero Maximum N/A	Three feet North- 12 feet 3 inches South- 10 feet 2 inches 15 feet 2 inches	YES
Maximum Building Height	65 feet	33 feet 10 inches	YES

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	The proposal is located in the Downtown Design District, Chapter 70 design regulations apply.	N/A
Development Code Section 60.07			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	The site is not located within a floodplain.	N/A
Development Code Section 60.11			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	The proposal does not include a food cart pod.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested.	N/A
Development Code Section 60.15			
Land Division Standards	On-site contouring within 25 feet of a property line within or abutting any residentially zoned property.	No Land Divisions are proposed.	N/A
Development Code Section 60.20			
Mobile and Manufactured Home Regulations	Requirements for the placement of mobile and manufactured homes.	No mobile or manufactured homes are proposed.	N/A
Development Code Section 60.25			
Off-Street Loading Requirements	Minimum: None	According to Table 60.25.15.5, no minimum number of loading spaces is required because the applicant doesn't propose any commercial space.	N/A

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.30			
Off-Street Motor Vehicle Parking	Superseded by OAR 660-012-0400	The applicant proposes to construct a multi-dwelling apartment building with twelve (12) attached residential units, one live/work unit and a community room. The proposal doesn't include any off-street vehicle parking.	YES
Development Code Section 60.30			
Required Bicycle Parking	<u>Attached Dwellings:</u> Short Term: 2 spaces Long Term: 13 spaces	The applicant proposes a total of 6 short term spaces and 13 long term spaces within the lobby of the building.	YES
Development Code Section 60.33			
Park and Recreation Facilities and Service Provision	Requirements for annexing property to THPRD.	The site is already within THPRD's boundaries.	N/A
Development Code Section 60.35			
Planned Unit Development	Development and design principles for Planned Unit Developments.	No Planned Unit Development is proposed.	N/A
Development Code Section 60.40			
Sign Regulations	Requirements for signs.	All signs will be reviewed under a separate sign permit and are not reviewed with this proposal.	N/A
Development Code Section 60.45			
Solar Access Protection	Solar access requirements for subdivisions and single family homes.	No subdivisions or single family homes are proposed.	N/A
Development Code Section 60.50			
Accessory Uses and Structures	Requirements for accessory uses and structure.	No accessory structures are proposed.	N/A
	Setback- Minimum 3 Feet		
	Height- 8-15 Feet, dependent upon location.		
Development Code Section 60.55			
Transportation Facilities	Requirements pertaining to the construction or reconstruction of transportation facilities	Refer to the Facilities Review Committee findings herein.	YES w/ COA

Development Code Section 60.60

Trees and Vegetation	Regulations pertaining to tree removal and preservation.	No tree removal is proposed.	N/A
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Development Code Section 60.65

Utility Undergrounding	Requirements for placing overhead utilities underground.	Refer to the Facilities Review Committee findings herein.	YES w/ COA
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Development Code Section 60.67

Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	No Significant Natural Resources are located on site.	N/A
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Development Code Section 60.70

Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A
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Attachment B: DDR2023-0005

ANALYSIS AND FINDINGS FOR DOWNTOWN DESIGN REVIEW TWO

Decision: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DDR2023-0005**, subject to the applicable conditions identified in Attachment C.

Section 40.23.05 Purpose:

The purpose of Downtown Design Review is to promote Beaverton's commitment to the community's appearance, quality pedestrian environment, and aesthetic quality. It is intended that monotonous, drab, unsightly, dreary and inharmonious development will be discouraged. Design Review is also intended to conserve the City's natural amenities and visual character by ensuring that proposals are properly related to their sites and to their surroundings by encouraging compatible and complementary development.

To achieve this purpose, the Downtown Design Review process is divided into two major components; Design Standards and Design Guidelines. Both standards and guidelines implement Design Principles, which are more general statements that guide development of the built environment. Most Design Standards have a corresponding Design Guideline.

The Design Standards are intended to provide a clear and objective approach to designing a project. Depending on the design thresholds, designing a project to the standards would result in an administrative review process.

An applicant for Downtown Design Review approval can address design review requirements through a combination of satisfying applicable Design Standards, and in instances where it elects not to utilize Design Standards, satisfy the corresponding applicable Design Guidelines. In cases reviewed through a public hearing, the hearing and decision will focus on whether or not the project satisfies the requirements of the applicable Design Guidelines only.

The purpose of Downtown Design Review as summarized in this Section is carried out by the approval criteria listed herein.

Section 40.23.15.2.C Approval Criteria

In order to approve a Downtown Design Review Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.23.15.2.C.1

Approval Criteria: The proposal satisfies the threshold requirements for a Downtown Design Review Two application.

Finding:

The applicant proposes to construct a multi-dwelling apartment building with twelve (12) attached residential units, one live/work unit and a community room. The proposal will remove the previously approved tuck-under parking associated with approved casefile DDR2022-0010, close vehicular access from SW Pacific Avenue, increase the total units from nine to thirteen and improve the frontage of the site with a ten-foot sidewalk. This proposal satisfies the following thresholds in BDC 40.23.15.2.A for a Downtown Design Review Two application:

3. New construction of detached or attached residential dwellings.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.23.15.2.C.2

Approval Criteria: All City application fees related to the application under consideration by the decision making authority have been submitted.

Finding:

The applicant has paid the required fees related to the land use applications.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.23.15.2.C.3

Approval Criteria: The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.

Finding:

Pursuant to Section 50.25.1, the application package includes all of the necessary submittal requirements.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.23.15.2.C.4

Approval Criteria: The proposal is consistent with all applicable Design Standards in Section 70.04, or no more than three applicable Design Guidelines and the remaining applicable Design Standards.

Finding:

The proposal responds to three Design Guidelines and all other applicable Design Standards. See Table 4: Section 70.20 Design Standards for analysis.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.23.15.2.C.5

Approval Criteria: Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

Finding:

The applicant submitted the Downtown Design Review Two application on February 2, 2023. The application included all required submittal materials and was deemed complete as of April 7, 2023.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Table 4: Section 70.20 Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Block Design		
<p>70.20.05.3.S1-9 New connections in superblocks</p>	<p>This site is identified as being part of a large block envisioned to provide better connectivity in the future. However, the method prescribed to improve connectivity in this area is to extend SW Filbert north, connecting to SW 3rd Street. As the subject site does not have frontage along SW Filbert, the proposal is not subject this provision.</p>	N/A
Building Frontage and Placement		
<p>Required: Local Street <u>Pacific Avenue:</u> 75%</p>		
<p>70.20.05.4.S1-2 Minimum Frontage Occupation</p>	<p>Proposed: Local Street <u>Pacific Avenue:</u> 76.6%</p> <p>The site's frontage is approximately 96 feet. The project proposes 73'-7" of building frontage within minimum and maximum setback.</p>	YES
<p>70.20.05.4.S3 Residential Ground floor separation</p>	<p>Only one building with a ground-floor live/work unit is proposed; therefore, separation between buildings is not required.</p>	N/A
<p>70.20.05.4.S4 Major intersection treatments.</p>	<p>The site is not located on major intersection.</p>	N/A
Setback Design		
<p>70.20.05.5.S1 Design between building and sidewalk</p>	<p><u>Pacific Avenue:</u> Ground floor is designed for non-residential occupancy (live/work and community room) with entries facing the street. All setback areas between entry doors and the right of way are paved. The applicant states that the area between the building façade and right of way is 254 feet and that 138 feet will be paved which is 54 percent of the building frontage, exceeding the minimum 50 percent required.</p>	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
70.20.05.5.S2 Setback encroachments	<u>Pacific Avenue:</u> Standards for setback encroachments do not apply along this frontage because the minimum setback is zero.	N/A
70.20.05.5.S3 Street adjacent fences	No fences are proposed as part of the development along street frontages.	N/A
Pedestrian Circulation		
70.20.05.6.S1 One pedestrian connection for every 300 feet.	Two pedestrian connections are proposed. One along the south side of the property and another accessing the entrance of the proposed building abutting SW Pacific Avenue. The site's frontage is 91 feet; therefore, the two connections satisfy the standard.	YES
70.20.05.6.S2 Accessible access with sustainability component.	On-site walkways are at least 5 feet wide and paved with hard surfaced material. The applicant states that at least 30% of the total pedestrian walkways will be paved with permeable pavement.	YES
70.20.05.6.S3 Pedestrian connections abutting parking areas	No walkways abutting heads of parking spaces are proposed.	N/A
70.20.05.6.S4 Pedestrian connections crossing drive aisles	No walkways crossing driveways or drive aisles are proposed	N/A
70.20.05.6.S5 Pedestrian connections through parking lots	No surface parking lots are proposed.	N/A
70.20.05.6.S6 Fences between buildings and creeks	No creeks are on or near the site.	N/A
70.20.05.6.S7 Sidewalk Widths	All public sidewalks are 10 feet wide.	YES
Parking, Loading and Service Areas		
70.20.05.7.S1 Curb cut design	No curb cuts are proposed.	N/A
70.20.05.7.S2 Driveway limitations	No driveways are proposed.	YES
70.20.05.7.S3	The site only has frontage along SW Pacific	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Driveway placement – Frontage Hierarchy	Avenue.	
70.20.05.7.S4 Sight clearance	Refer to Facilities Review Committee findings for Section 60.55.	YES
70.20.05.7.S5 Surface parking location	No surface parking is proposed.	N/A
70.20.05.7.S6 Surface parking screening	No surface parking is proposed.	N/A
70.20.05.7.S7 Surface parking along creekside paths	No surface parking is proposed.	N/A
70.20.05.7.S8 Utility, loading and service areas	No on-site service areas, waste storage or disposal facilities are proposed that require additional screening, all refuse is located within the proposed building. A solid wood fence will be constructed that screens the electrical transformers located near the southeast corner of the property.	YES
70.20.05.7.S9 Waste container curb cuts	No ramp for waste container access is proposed.	N/A
Landscaping		
70.20.05.8.S1 Landscape requirements for sites over one acre	The project site is approximately 0.22 acres.	N/A
70.20.05.8.S2 Planting and ground cover requirements	The applicant's landscape plans show that all areas not hardscaped will be fully planted with live ground cover and shrubs.	YES
70.20.05.8.S3 Irrigation	The site will be fully irrigated.	YES
70.20.05.8.S4 Plant specifications	The applicant's planting schedule demonstrates compliance with all minimum planting specifications. The site is not located within a vegetated corridor or sensitive natural area, therefore S4g doesn't apply.	YES
70.20.05.8.S5 Plant variety and density	The site is approximately 0.22 acres and there is 3,736 square feet of site not occupied by the proposed structure, therefore, four trees are required. Staff cites	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	the landscape plan which states four trees will be provided, two Vine Maples and two Chinese Fringe Trees on the east side of the proposed building.	
	<u>Plant Diversity</u> : Less than ten trees are provided on site. No one shrub species exceeds 75%.	
70.20.05.8.S6 Drought resistance	The applicant states that 368 of 553 or 66 percent of proposed landscape plantings are drought resistant, exceeding the required 25 percent minimum.	YES
70.20.05.8.S7 Tree preservation	No trees are being preserved to count towards site tree requirement.	N/A
70.20.05.8.S8 Tree staking	The applicant states all proposed trees will be staked for at least one year and provides a tree staking detail.	YES
70.20.05.8.S9 Residential zone buffers	The site and surrounding properties are located within the Regional Center.	N/A
70.20.05.8.S10 Surface parking landscaping	No parking is proposed.	N/A
Lighting		
70.20.05.9.S1 Must meet 60.05.30	Photometrics provided demonstrate compliance with Table 60.05.1 Technical Lighting Standards. Staff cites the finding for 60.05.30.	YES
Massing and Articulation		
70.20.10.3.S1 Building facades over 200 feet	The building façade is approximately 73 feet.	N/A
70.20.10.3.S2 Building taller than 30 feet and facades greater than 100 feet	The building is 33 feet 10 inches in height and the façade is approximately 73 feet wide.	N/A
70.20.10.3.S3-S4 Large buildings in RC-BC	Site is not located in the RC-BC zone.	N/A
70.20.10.3.S5-S6 Building greater than 45	The building is approximately 33 feet 10 inches in height.	N/A

feet in height		
70.20.10.3.S7-S8		
Large buildings in RC-MU	Site is not located in RC-MU zone	N/A
70.20.10.3.S9		
Large buildings in RC-DT	Site is not located in RC-DT zone	N/A
70.20.10.3.S10		
Height transition	The site and abutting properties are located within the Regional Center.	N/A
Façade Design		
70.20.10.4.S1		
Applicability	Right of way facing elevations are subject to Section 70.20.10.4 and 70.20.10.6	YES
70.20.10.4.S2		
Building façade articulation, balcony projection/recession	The applicant states the proposed building design includes balconies large enough to fit a 5 x 6 foot rectangle on 100% of the units above ground level and each balcony has direct access via a door from each unit.	YES
70.20.10.4.S3		
Defined base and top	The applicant states the defined base is a datum line which will be a minimum of 2 inches in depth and height as the predominant exterior building material also changes between the first and second floors. The defined top is a 6-inch metal trim which will be installed 45 inches from the top of the building.	YES
70.20.10.4.S4		
Window design	Applicant states all windows will be recessed a minimum of 2 inches.	YES
70.20.10.4.S5		
Minimum glazing	The applicant states the northern, southern and eastern façades aren't visible from the right of way. <u>Non-Residential Western Façade:</u> <u>Requirement:</u> 40% glazing 319 sf of street-facing glazing / 759 sf of street-facing façade = .42 or 42% <u>Residential Western Façade:</u> <u>Requirement:</u> 25% glazing 404 sf of street-facing glazing / 1,553 sf of street-facing façade = .26 or 26%	YES
70.20.10.4.S6		
Minimum glazing 20% of façade.	<u>North Façade:</u> <u>Requirement:</u> 20% 665 sf of glazing / 2,133 sf of total area= 0.311 or 31.1%	YES

	<p><u>East Façade:</u> <u>Requirement:</u> 20% 528 sf of glazing / 2,496 sf of total area= 0.211 or 21.1%</p> <p><u>South Façade:</u> <u>Requirement:</u> 20% 595 sf of glazing / 2,133 sf of total area= .279 or 27.9%</p>	
	<p>The southern and eastern façades abut pedestrian walkways.</p> <p><u>East Façade Ground Floor:</u> <u>Requirement:</u> 20% 159 sf of walkway-facing glazing / 759 sf of total façade area = .209 or 20.9%</p> <p><u>Eastern Façade Total Area:</u> <u>Requirement:</u> 20% 528 sf of walkway-facing glazing / 2,218 sf of total façade area = .232 or 23.2%</p> <p><u>South Façade Ground Floor:</u> <u>Requirement:</u> 20% 237 sf of walkway-facing glazing / 646 sf of total façade area = .365 or 36.5%</p> <p><u>South Façade Total Area:</u> <u>Requirement:</u> 20% 595 sf of walkway-facing glazing / 1,894 sf of total façade area = .314 or 31.4%</p>	
70.20.10.4.S7 Minimum glazing		YES
70.20.10.4.S8 Minimum glazing – Bird safe	The applicant states all glazing will be treated with a UV coated glass.	YES
70.20.10.4.S9-S10 Building entries	The primary entrance serving the non-residential entry to the lobby faces SW Pacific Avenue and is at least 6 feet wide. The entry way is a two-door system that is 12-feet in width.	YES
70.20.10.4.S11 Blank walls	The applicant states there aren't any gaps greater than 40 feet in horizontal length between door or windows.	N/A
Gateways		
70.20.10.5.S1 Gateway enhancements	Site is not located at gateway intersection	N/A
Active Ground Floor Design		
70.20.10.6.S1-S3	The project site doesn't front a street	N/A

Non-Residential	identified on Figure 70.20.10.6.2; therefore, the standards for Active Ground Floor Design aren't applicable to the project.	
Usable Open Space		
70.20.10.7.S1 Non-residential buildings – 5% requirement	Proposal is for a mixed-use building.	N/A
70.20.10.7.S2 Residential buildings – 48 sq ft / unit	Proposal is for a mixed-use building.	N/A
70.20.10.7.S3 Mixed use buildings – 48 sq ft / unit or 10%	The applicant states the total adjusted area of the parcel is 9,655 square feet, which requires a minimum of 966 square feet of Usable Open Space. The project proposes 598 feet of Shared Open Space and 540 square feet of Private Open Space for a total of 1,138 square feet of Usable Open Space.	YES
70.20.10.7.S4 Publicly Accessible Open Spaces (PAOS)	The applicant proposes to satisfy the Usable Open Space requirement using Shared Open Space and Private Open Space standards.	N/A
70.20.10.7.S5 Shared open space	The applicant states 598 square feet of Shared Open Space will be provided on the eastern side of the site and it's large enough to fit a 20' by 20' square inside it, be more than 60% open to the sky and it will include 3 benches that can accommodate at least two people. Additionally, the landscape plan identifies two vine maple trees in the shared open space which satisfies the required one tree minimum needed for spaces 500 square feet or greater.	YES
70.20.10.7.S6 Common community rooms	While the proposed building contains a Community Room, the dimensions don't meet the minimum standards identified in the development code. Therefore, the applicant proposes to satisfy the Usable Open Space requirement using Shared Open Space and Private Open Space standards.	N/A
70.20.10.7.S7 Private open space.	Project proposes 540 square feet of Private Open Spaces met through a combination of	YES

patios and balconies.

- a. All patios and balconies are attached and directly accessible to individual residential units.
- b. All balconies are 6 feet by 9 feet.
- c. All balconies are recessed 6 feet at the corners of the building and screened at least 50% from other balconies.
- d. All Private Open Spaces have at least nine feet of clearance.

Staff cites Exhibit 3.1 of the applicant materials, specifically sheets A3.01 and A3.02 which depict the Private Open Space standards.

Roof Elements

70.20.10.8.S1 Rooftop sustainability elements	The proposed building is less than 20,000 square feet in total floor area.	N/A
70.20.10.8.S2 Rooftop equipment screening	All rooftop elements are located in areas screened from view by 30-inch parapet walls made of a primary finish identified in 70.20.10.10.	YES

Structured Parking

70.20.10.9.S1-S3 Location of Structured Parking	No parking is proposed.	N/A
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Materials

70.20.10.10.S1 Exterior Material Allowances Primary-Minimum 65% Secondary- No greater than 35% Accent- No greater than 5%	<ul style="list-style-type: none"> a. The applicant proposes utilizing primary materials identified in 70.20.10.10.B (ribbed metal) in the following amounts: West Façade- 77% North Façade- 73% East Façade- 80% South Façade- 74% b. The applicant proposes utilizing secondary materials identified in 70.20.10.10.B (wood siding) in the following amounts: West Façade: 23 % North Façade:27% East Façade: 20 % 	YES
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South Façade:26 %

70.20.10.10.S2

Exterior Material
Prohibitions

No prohibited materials are proposed

YES

Historic Overlay Design

70.20.10.11.A-K

Historic Overlay
Requirements

Site is not within Historic District

N/A

Conclusion and Recommendation

Based on the facts and findings presented above, staff recommends **APPROVAL** of **DDR2023-0005** subject to conditions of approval.

Attachment C: Conditions of Approval

Downtown Design Review Two (DDR2023-0005)

A. Prior to issuance of the site development permit, the applicant shall:

1. Submit the required revised plans, stormwater report, and other items needed for a complete site development permit application resubmittal under application number SD2022-0025. (Site Development Div. / SAS)
2. Dedicate 13-feet of right of way along the site's frontage to SW Pacific Avenue in order to accommodate the minimum standards for an L2 Local Street according to the City's Engineering Design Manual, Standard Drawing 200-4. (BDC 40.03.1, and 60.55.10 and 30) (Transportation / KM)

B. Prior to building permit issuance, the applicant shall:

3. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / KJ)
4. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div. / KJ)

C. Prior to final inspection and final occupancy permit, the applicant shall:

5. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div. / KJ)
6. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / KJ)
7. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div. / KJ)
8. Have any required right of way dedication executed and recorded with the County. (Site Development Div./KJ)
9. Reconstruct the site's frontage along SW Broadway Street to include 10' wide curb tight sidewalks with tree wells, standard curb and ADA compliant curb ramps, as

shown on the applicant's submitted site plans. (BDC 40.03.1 and 60.55.10)
(Transportation / KM)

10. Substantially complete required frontage improvements along the site's frontage to SW Pacific Avenue which include a standard curb, ten-foot wide curb tight sidewalks with tree wells, street trees, street lighting, and a 6" buffer behind the sidewalk for maintenance and monumentation. (BDC 40.03.1, and 60.55.10 and 30)
(Transportation / KM)
11. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit 3.1," except as modified by the decision-making authority in conditions of approval. (On file at City Hall). (Planning / BC)
12. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit 3.1," except as modified by the decision-making authority in conditions of approval. (On file at City Hall). (Planning / BC)

D. Prior to release of performance security, the applicant shall:

13. Have completed the site development improvements and verify that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. The project shall meet all outstanding conditions of approval as determined by the City. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div. / KJ)
14. Submit any required easements, executed and ready for recording, to the City. City will require approval of legal description and form prior to execution. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div. / KJ)
15. Provide a post-construction cleaning, system maintenance, and any proprietary stormwater treatment system recharge/replacement servicing report per manufacturer's recommendations for the site's proprietary storm water treatment systems by a qualified maintenance provider as determined by the City Engineer. An additional service report will be required per maintenance schedule and until the maintenance and planting period is complete. (Site Development Div. / KJ)
16. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation as shown on the approved plan within the storm water management facility, vegetated corridor, and the wetland mitigation areas, as determined by the City Engineer. If the plants are not well established (as

determined by the City) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City prior to release of the security. (Site Development Div. / KJ)

17. A 2-year Maintenance Security will be required at 25 percent of the cost to construct City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount. It will run concurrently with the performance security of the plant establishment and is released 2 years after project acceptance following the correction of any identified defects. (Site Development Div. / KJ)